

EXHIBIT 10

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

FONTEM VENTURES B.V., a
Netherlands Holding Company; and
FONTEM HOLDINGS 1 B.V., a
Netherlands company,

Plaintiffs,

v.

R.J. REYNOLDS VAPOR
COMPANY, a North Carolina
company,

Defendant.

1:16-CV-1255

ORDER

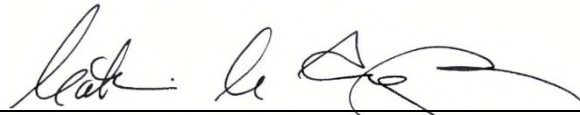
This matter is before the Court on the defendant's motion to stay. Doc. 36. In its discretion, and upon consideration of the relevant factors, the Court will **DENY** the motion. The denial is without prejudice to renewal should the PTO institute review of any of the disputed patents and should the review be highly likely to simplify issues in question.

Before filing a renewed motion to stay or partially stay, counsel for the defendant shall consult in person with counsel for the plaintiff, and the parties shall discuss how to best keep this case moving while PTO review occurs, especially if PTO review will not fully resolve the issues in this case. If the defendant in its renewed motion requests a full stay, the brief in support must discuss why a partial stay will not suffice, why amendments to the scheduling order are insufficient, and what the timeline for resolution

of the case will be after the PTO decision. Discovery and briefing shall proceed while any such motion is pending, subject to further order of the Court.

It is **ORDERED** that the defendant's motion to stay, Doc. 36, is **DENIED** without prejudice.

This the 13th day of December, 2016.



UNITED STATES DISTRICT JUDGE

